

**FLORIDA KEYS NATIONAL MARINE SANCTUARY ADVISORY COUNCIL**

Islander Resort  
82100 Overseas Highway  
Islamorada, FL 33036  
Tuesday, December 10, 2019

**FINAL MINUTES**

***SANCTUARY ADVISORY COUNCIL MISSION STATEMENT  
(adopted unanimously, December 6, 2005)***

**Council Members**

Boating Industry: Bruce Popham (Chair) (absent)  
Tourism – Lower Keys: Clint Barras (Vice-Chair)  
Citizen at Large – Lower Keys: Mimi Stafford  
Citizen at Large – Middle Keys: George Garrett (absent)  
Citizen at Large – Upper Keys: David Makepeace  
Conservation and Environment: Ken Nedimyer (absent)  
Conservation and Environment: Chris Bergh  
Diving – Lower Keys: Joe Weatherby  
Diving – Upper Keys: Elena Rodriguez  
Education and Outreach: Jessica Dockery (absent)  
Elected County Official: Michelle Coldiron  
Fishing – Charter Fishing Flats Guide: Will Benson  
Fishing – Charter Sports Fishing: Steven Leopold  
Fishing – Commercial – Marine/Tropical: Ben Daughtry  
Fishing – Commercial – Shell/Scale: Justin Bruland  
Fishing – Recreational: Ken Reda  
Research and Monitoring: David Vaughan  
South Florida Ecosystem Restoration: Jerry Lorenz  
Submerged Cultural Resources: Corey Malcom  
Tourism – Upper Keys: Andy Newman

**Council alternates (present)**

Citizen at Large – Lower Keys: Stephen Patten  
Citizen at Large – Upper Keys: Suzy Roebling  
Conservation and Environment: Caroline McLaughlin  
Fishing – Charter Sports Fishing: Richard Gomez  
Fishing – Commercial – Shell/Scale: Jeff Cramer  
Research and Monitoring – Shelley Krueger  
South Florida Ecosystem Restoration: Elizabeth Jolin  
Tourism – Upper Keys: Lisa Mongelia

**Agency Representatives (present)**

Florida Department of Environmental Protection: Joanna Walczak  
FWC Fish and Wildlife Research Institute: John Hunt  
FWC Division of Law Enforcement: David Dipre

National Park Service, Everglades: Christopher Kavanagh  
U.S. Coast Guard: Victor Sanchez, Phil Goodman (auxiliary)  
U.S. Navy: Ed Barham

### **Municipalities**

City of Key West: Allison Higgins  
City of Layton: Cynthia Lewis  
Islamorada, Village of Islands: Deb Gillis  
Key Colony Beach: John DeNeale

## **I. CALL TO ORDER, ROLL CALL, AND MEETING MINUTES APPROVAL OF OCTOBER DRAFT MEETING NOTES**

### **MOTION (passed)**

A motion to approve the October 15<sup>th</sup>, 2019 minutes was made by David Makepeace and seconded by Chris Bergh. The minutes were approved. A request was made to modify the agenda slightly to allow the Sanctuary Advisory Council alternate members to share remarks and perspectives on the Restoration Blueprint, in addition to the members. A motion to adopt the agenda was made by Michelle Coldiron and seconded by Dave Vaughn. The agenda was adopted with noted change.

### **Chairperson's Comments**

Vice-Chairperson Barras discussed how this council is the main connection between constituencies and management of the sanctuary, and has always been an extremely open and public council. He encourages people who are interested in participating on the council to apply during the current recruitment period. Advisory Council recruitment is open for the following seats through December 31<sup>st</sup>: citizen-at-large/Upper Keys (member and alternate), boating industry (member and alternate), diving/Upper Keys (member only), charter sports fishing (member and alternate), recreational fishing (member and alternate), research and monitoring (member and alternate), and tourism/Lower Keys (member only). Additionally, the Chair and Vice Chair positions will be open, and likely to be re-elected at the April Meeting.

Today's session is mainly dedicated to public comment, there will be two sessions: 3:30pm-5:00pm and 6:00pm-9:00pm. Before those comments are heard, the council will spend a few hours focusing on the Restoration Blueprint.

## **II. SANCTUARY MANAGEMENT UPDATE**

*Sarah Fangman, Florida Keys National Marine Sanctuary*

Superintendent Fangman discussed the launch of a new initiative known as Mission: Iconic Reefs and showed a short video. Mission: Iconic Reefs is an unprecedented effort by NOAA and a number of partners to recover 7 iconic reefs in the Florida Keys. The seven selected sites include Carysfort Reef, Horseshoe Reef, Cheeca Rocks, Sombrero, Looe Key, Newfound Harbor and Eastern Dry Rocks. Their selection was based on previous recommendations from the SAC, and included other considerations such as the likelihood of restoration success, geographic separation, and the ability for those sites to eventually help seed other reefs. The ambitious, multi-decade proposal will build upon previous restoration efforts and go beyond traditional outplanting to include habitat preparation and the introduction of non-coral species. The plan is not yet fully funded. Ms. Fangman acknowledged

the Coral Restoration Foundation, Reef Renewal, The Nature Conservancy, the State of Florida, and Florida Aquarium, among others, as contributing partners in this effort.

Superintendent Fangman also briefed the Advisory Council on recent efforts related to Keys water quality. Ms. Fangman and Joanna Walczak (Florida Department of Environmental Protection, (DEP)) recently presented to the South Florida Ecosystem Restoration Task Force about coral reef issues and the connection between Everglades restoration and the downstream resources in the Florida Keys National Marine Sanctuary (FKNMS). National Ocean Service Acting Administrator Nicole LeBoeuf represents NOAA on that committee and is interested in ensuring that FKNMS and coral reefs continue to be considered by the Task Force. Ms. Fangman also highlighted the Water Quality Protection Program (WQPP), which was created as part of the legislation that established FKNMS, as the venue through which many water quality efforts in the Sanctuary are undertaken. The WQPP Steering Committee is working to reinvigorate their efforts and revise their water quality-related priorities, and is interested in arranging a joint meeting with the Advisory Council in the future.

Ms. Walczak added that Governor DeSantis is extremely focused on the environment and has contributed an unprecedented amount of funding to water quality improvements. She offered to help schedule presentations at a future Advisory Council meeting on Everglades restoration, septic to sewer conversions, and other DEP efforts to improve water quality.

Chris Bergh noted that he has served as the Advisory Council member on the WQPP for ten years. With additional interest in water quality from the community, the Steering Committee is working to enhance their efforts. Mr. Bergh also recognized NOAA's renewed commitment to water quality.

Superintendent Fangman introduced new FKNMS staff: Karen Bohnsack (Associate Director, Water Quality and Ecosystem Restoration), Kathleen Jamison (Deputy Superintendent) and Nicole Uibel (Volunteer Coordinator).

### **III. SANCTUARY ADVISORY COUNCIL CORE GROUP UPDATE**

*Ben Daughtry, SAC Member - Commercial Fishing Marine Life Tropical*

Ben Daughtry provided an update from the Core Group, who recently met to strategize how the Advisory Council can best review the comments and input received about the Restoration Blueprint and recommend next steps. Noting the importance of public input in this process, the Core Group emphasized the need for effective outreach and clear messaging about the plan, and the need to correct the public misperception that decisions about the Restoration Blueprint have already been made. As such, the Core Group drafted a resolution requesting members of the public to review the Restoration Blueprint and provide specific and constructive public comments.

Advisory Council discussion on the resolution included the following points:

- It is essential for the public to understand that the Restoration Blueprint is not a foregone conclusion and that public comment does influence the outcomes of this process. The Advisory Council will be involved in editing the document and will look for opportunities to best protect the resource while considering the concerns of the public. The next draft of the Restoration Blueprint will not look the same, but how it does look will depend on the input of the community.

- For the comments to be most effective and useful, they should be specific. The opportunity is now to work together to improve the Restoration Blueprint and the Keys’ ecosystem.
- In addition to the resolution, the Advisory Council should pursue other ways of communicating the importance of specific and actionable comments to the community. Each member should be communicating this to their constituents, and clarifying that everything is on the table, not just the four choices as they are presented in the document. Additionally, a more obvious URL (“Click Here to Comment”) located at the top of the Restoration Blueprint website may be helpful.

A motion to adopt the resolution was made by Ben Daughtry and seconded by Elizabeth Jolin. The resolution was adopted without issue. To view this resolution, please visit: <https://floridakeys.noaa.gov/sac/meetings.html>

#### **IV. RESTORATION BLUEPRINT: ADVISORY COUNCIL ADVICE AND RECOMMENDATION ROLE**

*Sarah Fangman, Florida Keys National Marine Sanctuary*

Superintendent Fangman thanked everyone for their efforts thus far on the Restoration Blueprint. With the complexities of the Restoration Blueprint, the challenge moving forward will be reviewing all of the comments and figuring out how to effectively engage the Advisory Council on the most pressing and challenging issues. This will be the subject of the February and April meetings. The next step in the process will be to develop a single proposal which will be released for another round of public comment. The timeline for releasing the revised plan will depend partially on the volume and complexity of public comments, but NOAA leadership is eager to move this forward as quickly as possible.

#### **V. RESTORATION BLUEPRINT: ADVISORY COUNCIL COMMENT AND DISCUSSION**

*Focus on: Middle and Upper Keys Regions*

Vice Chairperson Barras invited each council member and alternate to share the feedback they are hearing from their consistencies regarding the Restoration Blueprint.

Clint Barras: Lower Keys – Tourism

- The Florida Keys recently appeared on Fodor’s no travel list. An area in Mexico which was also on that list has been closed entirely to use. In 2018, the Sanctuary had 5 million boat days, 2 million dive days, and more snorkel days. User fees should be considered as a potential management strategy.

Mimi Stafford, Lower Keys Citizen at Large

- It is critical for people to feel hope and excitement; if they will be giving something up, they need to believe it will lead to an improvement in the resources. Ms. Stafford is willing to discuss the Restoration Blueprint with anyone, regardless of their viewpoint.
- There is a lot of concern about the no anchor zone and the loss of historically used fishing grounds, as well as water quality, including the potential impact of shallow injection wells, and septic influences from the mainland.
- Buy-in and ownership from the community will help reduce the need for enforcement.

David Makepeace, Upper Keys Citizen at Large

- With public comment, there is a need to emphasize that providing input is worthwhile, and clarify that it is not necessary to choose one alternative from the existing list; suggestions can include new ideas beyond what is in the alternatives for each zone.
- While there is a broad spectrum of opinions, Mr. Makepeace is hopeful that the process can result in something close to consensus. During a school project with 6<sup>th</sup> graders, students representing different stakeholder groups were able to work together to come up with a revised plan based on Alternative 4, but with modifications to allow for compatible uses.

Chris Bergh, Conservation and Environment

- Protecting Pulley Ridge is one of the most important activities that the Sanctuary can do. This area, which is a proposed addition to the FKNMS boundary, is upstream of all of Florida's reefs and is a source of coral and fish larvae. Protecting this area doesn't mean it needs to be off limits to fishing, just that the main FKNMS regulations would apply. It is also important to prevent large ships from dropping anchor on those sensitive deep coral reefs.
- The Nature Conservancy focuses on creating a balance between nature and people. Science has shown that larger protected areas do a better job of protecting fish and other organisms, so it is important to set aside some areas where all activities are excluded to ensure resources remain in the future (ex. Zones such as Western Sambo Ecological Reserve, and the proposed Long Key and Carysfort areas).
- As an alternative to the many proposed Wildlife Management Areas, Alternative 4 includes a 300 foot idle speed only buffer from the shoreline. This type of approach may make sense, with some exceptions for marked channels, etc. While this strategy may reduce the need for a large number of small WMAs, some specific areas may still require additional protections.

Joe Weatherby, Diving Lower Keys

- Water quality is a major concern, but it can be improved when there is a will to do so, and he has seen it happen.
- The Iconic Reefs initiative is important, and helps to address a missing piece of the Restoration Blueprint.
- Artificial reefs are an important management tool that should be considered in the future of the Sanctuary. There are numerous examples of successful artificial reefs, and while still experimental, they can be part of the solution.

Elena Rodriguez, Diving Upper Keys

- Many people share similar goals of wanting to protect the environment and enjoy living in the Keys, and there is a fine line between unfettered access and preservation of the resources.
- It is important for the community to read the proposed plans in detail, understand the impacts to their individual situations, and provide input that will help generate solutions. We cannot do nothing. Everyone will need to give a little to receive a lot more in return.

Will Benson, Flats Fishing Charter Flats

- It is important to remember what the Keys used to look like and strive for this goal in working with the Sanctuary and Advisory Council; it is necessary to aim higher than we have, and understand that success will take hard work, sacrifice and creative leadership.
- Flats fishing guides have tried to embrace the Restoration Blueprint process and offer expertise. The last good tarpon fishing season was 2005, and poll and troll zones are important for guides to access some of the remaining tarpon fishing spots.

- Water quality is a major issue that needs to be addressed. Beyond the Everglades, it is important to focus on Miami sewage inputs, increasing sargassum impacts, and the additional runoff caused by king tides.
- The guides oppose no access zones, and encourage better solutions for protecting the birds while still allowing some level of access. As an example, the 100 meter buffer around islands presented in Alternative 4 may be more practical than the complex, numerous new zones which would require expensive signage.
- Additional law enforcement (including housing or other incentives to retain officers) and habitat restoration (including sponges and seagrass and artificial habitats) are also important and should be better represented in the Blueprint.
- The proposed Long Key zone includes one of the best fly fishing and recreational sport fishing spots, so consideration should be given to allowing historical uses of fly-fishing and catch and release.

#### Steve Leopold, Charter Sports Fishing

- Fishing-related user groups are the most impacted by the proposed changes in the Restoration Blueprint. Continued charter fishing industry participation in the process is important, and their experience and input should be better accounted for moving forward.
- Overall, this constituency supports Alternative 1, and feels that water quality is the primary factor contributing to reef decline.
- Many people are confused by the Restoration Blueprint and management review process, and there is a need for clarification and simplification. This includes use of consistent GPS formats, a clearer trolling definition, and a detailed description of the size of the proposed no anchor zone in Key Largo and what that will protect. Coral cover is 3-5% and most of that area is sand and rubble. No anchoring in that area would create a huge impact on fishing interests, as anchoring is the only reliable method for bait fishing. This no anchor area may also result in additional pressure to the north and south.
- A lot is missing from the plan, including education beyond commercial user groups, financial plans, a law enforcement action plan, and a detailed mooring buoy plan.
- The Sanctuary Preservation Areas (SPAs) have been a good tool to eliminate user conflict. If no anchoring in SPAs is approved, each should be looked at individually in implementing this (ex. Alligator Reef SPA is mostly sand). Additional SPAs are unlikely to improve the condition of the reef, and charter fishermen do not support modifications or additional closures at Long Key/Tennessee Reef, Alligator Reef, Pickles Reef or Carysfort Reef.

#### Ben Daughtry, Commercial Fishing Marine Life Tropical

- A meeting of the Florida Marine Life Association was organized to discuss the Restoration Blueprint. The ideas that resulted from this meeting will be submitted as public comment. Each Advisory Council member should help distill information from the Restoration Blueprint for their constituents, and help them craft public comment.
- The Iconic Reefs project is encouraging; it is important to pursue restoration while also continuing to work on other issues such as water quality. More education and enforcement are also needed.
- It is important to keep in mind that people who make a living by using the resources cannot be put out of business by proposed management changes. However, we need to do enough to improve resource condition and everyone needs to give up a little to see positive change.

#### Justin Bruland, Commercial Fishing Shell/Scale

- A closure off of Long Key is an issue. A number of traps in this area would be displaced to other locations, which would increase user conflict. Any additional SPAs should coincide with existing coral sites.
- In Key Largo, there are already less fishing opportunities with Everglades National park on the Bayside; commercial fishermen cannot keep giving.
- More public comment is essential to improve the plan, with specifics about what the public doesn't like.

#### Ken Reda, Recreational Fishing

- The recreational fishing constituents are skeptical and believe this process will result in more closures and regulations, while existing rules are not able to be enforced. Specifics on how new management will be implemented would be helpful (ex. Number of additional officers on the water, number of additional mooring buoys in place, etc.).
- Education and success stories are also important, such as aerial photography showing the rebound of seagrass beds following management changes.

#### Jerry Lorenz, South Florida Ecosystem Restoration

- Protecting Pulley Ridge and contiguous shoreline to fore reef habitats is important.
- A 100 meter buffer around mangrove shorelines would be beneficial, although some specific places still need further protection. This includes Pigeon Key, Dove/Rodriguez Key, Cotton Key and Pelican Key.
- Everglades restoration is working to ensure that water flowing into the Sanctuary is clean, and arrives at the right time, in the right places, and in the right quantity. It is important to highlight the connection between Everglades restoration and the reef tract.
- A lot is being done to improve water quality, however the Sanctuary does not have the ability to legislate and needs to focus on actions within its authority.
- Boater education and user fees should be considered.
- Additional public comment is encouraged.

#### Corey Malcom, Submerged Cultural Resources

- A separate meeting was held specific to cultural resources, which was attended by commercial salvors. The perspective of that group is that there should be no change to the management scheme. All were informed about how to comment, and encouraged to provide meaningful, well-articulated input.
- These continues to be a lack of trust and belief that there is no point in commenting. It is important to reiterate that this is an open process and comments do make a difference, but they need to be made within the Sanctuary's comment system.
- Has emailed historic preservation groups with a direct link to the comment page, and done radio spot in the Keys to reach a broader audience.

#### Andy Newman, Tourism Upper Keys

- Philosophy is to protect the resources while providing reasonable access. The Tourism Development Council has increasingly focused on sustainability and responsible use.
- Additional mooring balls, artificial habitats and enforcement are key. User fees could play a role, but there are already a lot of taxes to contend with.
- Every Advisory Council member and Sanctuary staff person are both willing and wanting to listen to stakeholder input.

**Alternates:**

Stephen Patton, Lower Keys Citizen at Large

- Several meetings have been organized with property owners associations to help them generate constructive comments, despite some disagreement. This represents over 350 homeowners, who will also be encouraged to make individual comments.
- Pulley Ridge and large contiguous zones are important.

Suzy Roebing, Upper Keys Citizen at Large

- The concerns and perspectives of constituents who feel their livelihoods are at stake are understandable. Early on, resources in the Keys were largely taken for granted, but new science shows dramatic changes in the amount of use and the condition of the reefs.
- There is a lot of confusion among the public and a need to explain that what has been proposed by the Sanctuary is a la carte. Everyone's input is important to shape the outcomes of this process.
- Limiting entry needs to be impartial and non-selective; mooring balls and user fees should be considered to accomplish this.

Caroline McLaughlin, Conservation and Environment

- The resources of the Florida Keys are nationally significant, and there are people around the country that support this process and resource conservation.
- While lot of issues originate outside the Sanctuary or are global in nature, it is still important for management to do what is within their power to protect the resources. Previous efforts by the Sanctuary to improve water quality and participate in Everglades Restoration are important, and additional engagement from the Sanctuary, Advisory Council and the community is encouraged.
- Improving water quality, protecting shorelines, mandatory boater education, and increased law enforcement are all important.

Richard Gomez, Charter Sports Fishing

- Fishermen have been singled out for years, and many feel as though they've already been defeated. Many will not submit written comments, but they have taken the time to give verbal comment, which is also important.
- A simple solution to make fishermen into allies is to get a small group of various users together to negotiate a solution with a map on table. Early input from fishermen and a better way to negotiate is needed.

Jeff Cramer, Commercial Fishing Shell/Scale

- Commercial fishermen understand the importance of a healthy coral reef for the fishery, are advocates for healthy reefs, and will support what makes sense. However, there are issues with the plan and a particular concern with the Long Key proposal, which is a big commercial and recreational fishing area, and the location of historical lobster fishing. This area is not well suited for what the Sanctuary is trying to accomplish; it is influenced by water coming from Florida Bay through 3 Mile Bridge and Channel 5, and is largely composed of sand and seagrass.
- With issues such as water quality, climate change, and hurricanes affecting the Sanctuary, resources are still in decline despite past management efforts.

- There is already no lobster fishing in Everglades National Park, parts of Biscayne National park, and the reserves, and the number of traps have been reduced by half since the 1990s.
- Despite early concerns that fishing would be shut down in the Sanctuary, that has not happened. Commercial fishers understand the importance of the Sanctuary and have worked to help close certain areas to traps. However, they have already lost a lot of area, and feel additional large closures are unnecessary.

Elizabeth Jolin, South Florida Ecosystem Restoration

- Seconded Jerry Lorenz's comments. Public comment is appreciated and encouraged.

Lisa Mongelia, Tourism Upper Keys alternate

- Targeted, well-articulated, detailed public comments with actionable suggestions are important to move this process forward. Consideration should be given to suggestions that will benefit natural and cultural resources.

Michelle Coldiron, Elected County Official

- The County Commission represents all the residents of Monroe County. The Commission's role is to ensure that this process occurs and that it is transparent. Thus, they passed a resolution urging the Sanctuary to listen to stakeholder comments and suggestions and not unnecessarily limit public access. Additional public comment is important; comments and opinions can only be considered if they are shared.

Deb Gillis, Islamorada Village of Islands

- Speaking as an individual (not on behalf of the Council), water quality is a major issue, but efforts are underway to improve that. With multiple stressors affecting our resources, alleviating some will still help coral survive, even though we don't have a cure for everything. Everglades restoration is happening, but it will take time; everyone needs to do their part to improve the keys.
- Additional education for resource uses and law enforcement are also important.
- The next version of the Restoration Blueprint should include information on how the proposed plan will be accomplished.
- Additional input from the public is important, and should include careful review of the plan and individual comments. No comment is also a form of commentary.

Cynthia Lewis, City of Layton

- Several workshops have been offered for the Layton community to explain the Restoration Blueprint, review the interactive map, etc. Superintendent Fangman also presented to the City Council and interacted with the community.
- While there is opposition to the Tennessee Reef Conservation Area, others are supportive of it once they learn more about the science. Hopefully the Advisory Council will be able to review comments and find a compromise on this issue.

John Hunt, FWC Fish and Wildlife Research Institute

- Later this week, the FWC Commission will hear a presentation on the Restoration Blueprint and have a discussion. They will not make a decision at this meeting, but will submit an agency comment letter at some point in the future.

David Dipre, FWC Division of Law Enforcement

- Appreciates support for FWC law enforcement. It is difficult to retain law enforcement officers in the Florida Keys; there are 40 patrol officer positions, but only 30 are currently staffed, despite additional pay incentive. The Sanctuary Plan could help, but personnel are expensive between salaries, benefits and housing. The way to encourage more Law Enforcement is to talk to legislators and other community representatives.
- The FWC does not have enough officers to stand guard across the entire reef line, so it is important for the community to report activity so the officers can be stationed where needed.

**Break**

## **VI. AFTERNOON PUBLIC COMMENT**

For a transcript of oral public comments given see: *December 10 Sanctuary Advisory Council Meeting Oral Public Comment*. This document can be found at [floridakeys.noaa.gov](http://floridakeys.noaa.gov) with the December Advisory Council meeting materials and is posted at [regulations.gov](http://regulations.gov).

**Break**

## **VII. EVENING PUBLIC COMMENT**

For a transcript of oral public comments given see: *December 10 Sanctuary Advisory Council Meeting Oral Public Comment*. This document can be found at [floridakeys.noaa.gov](http://floridakeys.noaa.gov) with the December Advisory Council meeting materials and is posted at [regulations.gov](http://regulations.gov).

## **VIII. UPCOMING MEETING AND CLOSING REMARKS**

Vice Chairperson Barras acknowledged the staff and council for their efforts to host this meeting, and reminded attendees about the open application period for Sanctuary Advisory Council members. The next advisory council meeting will be held in February.

**Adjourn.**